

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F047813 Maher v. Department of Developmental Services et al.

The July 29, 2005, order awarding attorney fees to the State of California and the Department from the inception of the case is reversed in part and the dollar amount of the award is vacated. The matter is remanded to the trial court for further proceedings consistent with this opinion. Maher is awarded costs on appeal. Cornell, J.

We concur: Levy, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F048390 In re Juanmingo B., a Minor

The matter is remanded for a new disposition. The juvenile court shall set a maximum period of confinement at the CYA after considering the facts and circumstances that brought appellant before the juvenile court pursuant to section 731, subdivision (b). In all other respects, the judgment is affirmed. Wiseman, P.J.

We concur: Levy, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047649 Mendoza v. Rast Produce Co., Inc. et al.; Continental Sales Company et al.

The judgment filed on September 27, 2004, is reversed and the matter is remanded to the superior court with directions (1) to vacate its order granting the motion for judgment on the pleadings without leave to amend; and (2) to enter an order (a) denying the motion as it relates to the complaint in its entirety; (b) denying the motion as it relates to the third (negligence), fifth (conversion), sixth (accounting) and seventh (breach of fiduciary duties) causes of action; and (c) granting the motion with leave to amend as to the first (breach of contract), second (covenant of good faith and fair dealing), and fourth (fraud and deceit) cause of actions.

Appellant shall recover his costs on appeal. Dawson, J.

We concur: Wiseman, Acting P.J.; Levy, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F047979 Quadri v. Sallie Mae, Inc.

Judgment is affirmed. Sallie Mae shall recover its costs on appeal. Dawson, J.

We concur: Levy, Acting P.J.; Cornell, J.

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F047239 Ponzio v. Railroad Controls Limited
Appellant's petition for rehearing filed herein is denied.

F049190 In re Brandon P., a Minor
The above-entitled case is submitted for decision.

F049190 In re Brandon P., a Minor
The judgment is affirmed.
By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050053 People v. Hernandez
No brief having been filed by appellant after notice duly given under rule 17(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.